IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA (Alexandria Division)

-----:

JODI C. MAHDAVI,

Plaintiff,

rraincir,

vs. : Case No.

: 1:14-cv-0648

1

NEXTGEAR CAPITAL, INC.

:

and

:

P.A.R. SERVICES, INC.,

:

:

Defendants.

Arlington, Virginia

Wednesday, November 12, 2014

Deposition of:

JODI C. MAHDAVI

called for oral examination by counsel for

Defendant, pursuant to notice, at the law offices

of Levine, Daniels & Allnutt, 5311 Lee Highway,

Arlington, Virginia, before Christy McGee, CSR, of

Capital Reporting Company, a Notary Public in and

for the Commonwealth of Virginia, beginning at

10:00 a.m., when were present on behalf of the

respective parties:

		_		$\overline{}$
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1 2 3 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 20 21	A P P E A R A N C E S On behalf of Plaintiff: JONATHAN E. LEVINE, ESQUIRE Levine, Daniels & Allnutt, PLLC Heritage Square, 5311 Lee Highway Arlington, Virginia 22207 (703) 525-2668 On behalf of Defendant, NextGear: JAMES BRAGDON, ESQUIRE Gallagher, Evelius & Jones, LLP 218 North Charles Street, Suite 400 Baltimore, Maryland 21201 (410) 347-1275 On behalf of Defendant, P.A.R.: JAMES N. MARKELS, ESQUIRE Jackson & Campbell 1120 Twentieth Street, N.W., South Tower Washington, D.C. 20036-3437 (202) 457-1610 *****	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	PROCEEDINGS WHEREUPON, JODI C. MAHDAVI called as a witness, and having been first duly sworn, was examined and testified as follows: EXAMINATION BY COUNSEL FOR DEFENDANT, NextGear BY MR. BRAGDON: Q Hi, Ms. Mahdavi. My name is James Bragdon and I represent NextGear. Have you had your deposition taken before? A No. Q Okay. I'll give you some general rules, and I'm sure Mr. Levine has laid out how this is going to go, but I'll be asking you questions about the claim that you've brought against NextGear. If you have we don't want to you speculate on any answers, so if you don't know, I don't know is a fine answer. If you do answer a question, it's going to come across that you do understand the question and that you know the answer to the	
21 22		21	question. If you don't understand a question, just	
		22	please ask me to clarify. Otherwise, again, it	
	3			5
1 2 3 4 5 6 7 8 9 10	EXAMINATION BY: PAGE Counsel for Defendant, NextGear 4 Counsel for Defendant, P.A.R. 59/90 Counsel for Plaintiff 89 MAHDAVI DEPOSITION EXHIBITS: * PAGE 1 Answers to P.A.R. 8 2 Answers to NextGear 8	1 2 3 4 5 6 7 8 9 10	will if you don't ask for clarification, it will appear as though you did understand the question. If you need a break at any time, please let me know. And for the court reporter's sake, let's let each other both I'll try to let you finish your answers if you let my finish my questions. Does all that sound fair? A Uh-huh. MR. MARKELS: Just one other thing, uh-huhs and so on, we have a court reporter here who's going to be taking down the audio and making	
12 13 14 15 16 17 18 19 20 21 22	3 Document Production 8 (* Exhibits retained by Counsel, Mr. Bragdon.)	12 13 14 15 16 17 18 19 20 21 22	a transcript. We'll need you to vocalize answers, so yes and no. Headshakes, nods, that sort of thing doesn't help us. So if you could instead of uh-huhs just say yes or no, that will be better for the court reporter to take down what your answer is. THE WITNESS: Okay. BY MR. BRAGDON: Q Are you on any medications today that would prohibit you from giving full and truthful answers?	

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1	Δ	No.		MR. BRAGDON: I'm going to mark your	
2	Q	Are you currently employed?	2	Answers to Interrogatories as Exhibits 1 and 2.	
3	`	Yes.	3	(Mahdavi Deposition Exhibit Numbers 1 and	
4	Q	And what is your job?	4	2 were marked for identification.)	
5	•		5	BY MR. BRAGDON:	
6	Q	And where do you work?	6	Q Can you just generally review these	
7	A	Palm Management Corporation.	7	documents and take your time and verify whether	
8	Q	And is that a staffing agency?	8	these are your answers to NextGear, which I think	
9		No, it's a management company.	٥	is marked as 2, and your supplemental answer to	
10	_	So do you work for multiple clients?	10	P.A.R. Services, which I think is marked as 1.	
11	Q A		111	MR. BRAGDON: Can you mark this as 3?	
12	_	Do you work at multiple locations?	12	(Mahdavi Deposition Exhibit Number 3	
13	Q	No.	13	was marked for identification.)	
	_		I	BY MR. BRAGDON:	
14	Q	And where is your office located?	14		
15	_	Washington, D.C. And what's the address of your employer?	I	Q Do they appear to be accurate copies of	
16	Q		16	the interrogatories you reviewed and signed?	
17	A	1730 Rhode Island Avenue.	17	A Yes.	
18	Q	, , , ,	18	Q Is there anything specific that comes to	
19	•	sibilities are?	19	mind on review of changes you would make or	
20		I review financial statements and I	20	additions you would make?	
21	-	rise a staff of accountants.	21	A No.	
22	Q	And can you briefly describe your	22	Q Is it correct were you involved in the	
		7			9
1	aduent	ional background?		responses to the request for production of	
2		I have a CPA.	$\frac{1}{2}$	documents as well?	
$\frac{1}{3}$		And where was your do you have an	$\frac{2}{3}$	A Yes.	
l .		grad degree?	$\begin{bmatrix} 3 \\ 4 \end{bmatrix}$	Q Can you describe what you did to look for	
4 5		Uh-huh.	5	responsive documents? Where did you go to look for	
6	0	And where was that from?	$\begin{bmatrix} 3 \\ 6 \end{bmatrix}$	the documents you produced?	
7	A		7	A I asked my husband for some.	
1 .	_	And what was your major in undergrad?		Q And did you have any personal files that	
8 9	Q A	Business.	8 9	you had documents in?	
10	_	And what is your home address?	10	A Bank statements.	
11	Q A	915 Fairway Drive, Vienna, Virginia.	11		
12	Q	And other than that, do you own any other	12	Q Did you review any of your e-mail communications?	
13	proper		13	A I didn't have any e-mail communications.	
14		Yes.	14		
15			15	Q Do you use e-mail? A Yes.	
		How many approximately do you own or have erest in, I should say?	16		
16 17			17	Q And do you have a work and personal account?	
	_	And are those residential properties?	1		
18	Q	And are those residential properties?	18	A I don't have a personal account. I have a work e-mail.	
19		Yes.	19		
20		And are they located I guess, what	20	Q And what is the that's called Palm	
21		are they located in?	21	Communication or what's name of your company again?	
22	А	Virginia and Maryland.	22	A The Palm.	

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	10	12
1	Q Palm. Palm Management?	1 husband, you would delete those?
2	A Uh-huh.	2 A Yes.
3	Q What's the domain name of those e-mails?	3 Q And has that continued while this
4	A The Palm.	4 litigation has been pending?
5	Q Have you what's your general practice	5 A Yes.
6	for storing e-mails through your work e-mail	6 Q Have you ever e-mailed anyone about
7	account?	7 anything related to this litigation?
8	A I don't keep personal e-mails on my work	8 A No.
9	e-mail.	9 Q Do you keep a calendar?
10	Q And so you don't have any personal e-mail	10 A No.
11	account?	11 Q Do you use Outlook calendar?
12	A I don't have a personal e-mail account,	12 A No.
13	no.	13 Q Do you have any method for keeping track
14	Q So it's correct that do you correspond	14 of personal appointments or professional
15	with your husband with your work e-mail?	15 appointments?
16	A I do, yes.	16 A I have a paper calendar on my desk.
17	Q Do you correspond with friends and family	17 Q And do you use that paper calendar to
18	members through your work account?	18 keep track of what your work appointments are?
19	A I do.	19 A I don't really have work appointments.
20	Q Is it like an Outlook account?	20 Q Okay. So do you keep track of, I guess,
21	A It is Outlook.	21 social or personal appointments on the work
22	Q Do you I guess your e-mail is kept and	22 calendar?
	11	13
1	stored on the work computer; is that correct?	13 1 A Uh-huh.
1 2		
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2 3	stored on the work computer; is that correct? A Uh-huh. Q Does it also come to your phone?	1 A Uh-huh. 2 MR. LEVINE: Try to, for the court 3 reporter, give yes or no.
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	14			16
1	A I don't know.	1	Q And do you Ms. Nozary as well?	
2	Q Was he working at Beltway Auto before?	2	A I know of her, yes.	
3	A Yes.	3	Q Had you ever met them before?	
4	Q And do you know what his job	4	A Yes.	
5	responsibilities there were?	5	Q And when was that?	
6	A Responsibilities, no.	6	A On several occasions maybe a year prior.	
7	Q Did you know what his job title was?	7	Q A year ago from around now?	
8	A Manager.	8	A Uh-huh.	
9	Q Did you have even a general understanding	9	Q Do they live in Virginia?	
10	of what he did at Beltway Auto?	10	A Yes.	
11	A Sold cars.	11	Q And I think I saw in your interrogatories	
12	Q And do you know when he started working	12	that their daughter babysitted for you from time to	
13	at Beltway Auto?	13	time?	
14	A January of 2010.	14	A Yes.	
15	Q What was your husband's previous job	15	Q Did you spend time with Mr. Molavi and	
16	before working at Beltway Auto?	16	Ms. Nozary socially?	
17	MR. LEVINE: Objection, relevance.	17	A No.	
18	BY MR. BRAGDON:	18	Q Do you recall how Mr. Mahdavi came to be	
19	Q You can answer unless he tells you not	19	employed by Beltway Auto?	
20	to. He's preserving if there's an objection to	20	A No.	
21	my question, he'll make a record.	21	Q Did he know Mr. Molavi or Ms. Nozary	
22	A He worked for another auto company in	22	before being hired?	
			-	
		ı		
	15			17
1	Maryland, Auto Source.	1	A Not that I'm aware of.	17
1 2		1 2	A Not that I'm aware of.Q Other than for the incarceration in 2008,	17
	Maryland, Auto Source.	l		17
2	Maryland, Auto Source. Q And do you know his dates of employment	2	Q Other than for the incarceration in 2008,	17
2 3	Maryland, Auto Source. Q And do you know his dates of employment there?	2 3	Q Other than for the incarceration in 2008, 2009, does Mr. Mahdavi have any criminal	17
2 3 4	Maryland, Auto Source. Q And do you know his dates of employment there? A No.	2 3 4	Q Other than for the incarceration in 2008, 2009, does Mr. Mahdavi have any criminal convictions you're aware of?	17
2 3 4 5	Maryland, Auto Source. Q And do you know his dates of employment there? A No. Q Since you were married, have you ever lived apart from Mr. Mahdavi? A Yes.	2 3 4 5	Q Other than for the incarceration in 2008, 2009, does Mr. Mahdavi have any criminal convictions you're aware of? A No. Q And we ask this of every deponent, but do you have any criminal convictions other than minor	17
2 3 4 5 6	Maryland, Auto Source. Q And do you know his dates of employment there? A No. Q Since you were married, have you ever lived apart from Mr. Mahdavi?	2 3 4 5	Q Other than for the incarceration in 2008, 2009, does Mr. Mahdavi have any criminal convictions you're aware of? A No. Q And we ask this of every deponent, but do	17
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	Triandavi, joan	·		
	18			20
1	MP LEVINE: Objection relevance	1	A Uh-huh.	
$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	MR. LEVINE: Objection, relevance. THE WITNESS: I have one in Maryland.	2	A Uh-huh. Q How did you decide on that vehicle?	
3	The others are in Virginia.	$\begin{bmatrix} 2 \\ 3 \end{bmatrix}$	A I saw that it was in a four-door and I	
4	BY MR. BRAGDON:	4	liked it and told my husband.	
5	Q Do you know the address of the one in	5	Q And where did you see it?	
6	Maryland?	6	A I saw it on the road.	
7	A 9913 Montauk Avenue.	7	Q And do you recall when you first saw and	
8	Q And are you the owner of these or do you	8	identified that as a car you would be interested	
9	own them jointly with your husband?	9	in?	
10	A I own them.	10	A Somewhere around the 1st of the year.	
11	Q And can you were they all purchased	11	Q And did he tell you at that time he would	
12	after the year 2000?	12	try to locate one through BW Auto?	
13	A I think so. I don't know for sure.	13	A He just said he would keep an eye out for	
14	Q And how did you purchase these	14	one.	
15	properties?	15	Q And do you recall the first time he told	
16	A With loans.	16	you that he found one?	
17	Q Did you purchase any of them before being	17	A He didn't tell me he found one. He	
18	married to Mr. Mahdavi?	18	brought it home for me to see.	
19	A I think two. It may have been more. It	19	Q And that was on March was that	
20	may have been four before we were married.	20	March 11, 2014?	
21	Q Let's talk a little about the BMW.	21	A No, it was sometime in the beginning of	
22	Before you purchased the BMW, what type of car were	22	March.	
	10			2.1
	19			21
1	you driving?	1	Q And he just brought it home one night?	21
1 2		1 2	Q And he just brought it home one night?A Uh-huh, yes.	21
	you driving?	ı		21
2	you driving? A GLK.	2	A Uh-huh, yes.	21
2 3	you driving? A GLK. Q And where had you purchased that vehicle	2 3	A Uh-huh, yes.Q And did you test-drive it at that time?	21
2 3 4	you driving? A GLK. Q And where had you purchased that vehicle from?	2 3 4	A Uh-huh, yes.Q And did you test-drive it at that time?A Yes.	21
2 3 4 5	you driving? A GLK. Q And where had you purchased that vehicle from? A BW.	2 3 4 5	A Uh-huh, yes.Q And did you test-drive it at that time?A Yes.Q Do you recall what day of the week he	21
2 3 4 5	you driving? A GLK. Q And where had you purchased that vehicle from? A BW. Q And you had financed that purchase; is	2 3 4 5 6	 A Uh-huh, yes. Q And did you test-drive it at that time? A Yes. Q Do you recall what day of the week he brought it home? 	21
2 3 4 5 6 7	you driving? A GLK. Q And where had you purchased that vehicle from? A BW. Q And you had financed that purchase; is that correct?	2 3 4 5 6 7	 A Uh-huh, yes. Q And did you test-drive it at that time? A Yes. Q Do you recall what day of the week he brought it home? A It was a Friday. 	21
2 3 4 5 6 7 8	you driving? A GLK. Q And where had you purchased that vehicle from? A BW. Q And you had financed that purchase; is that correct? A Yes.	2 3 4 5 6 7 8	 A Uh-huh, yes. Q And did you test-drive it at that time? A Yes. Q Do you recall what day of the week he brought it home? A It was a Friday. Q And that's the same white BMW that's at 	21
2 3 4 5 6 7 8 9	you driving? A GLK. Q And where had you purchased that vehicle from? A BW. Q And you had financed that purchase; is that correct? A Yes. Q And that's through PenFed as well?	2 3 4 5 6 7 8 9	A Uh-huh, yes. Q And did you test-drive it at that time? A Yes. Q Do you recall what day of the week he brought it home? A It was a Friday. Q And that's the same white BMW that's at issue in this case?	21
2 3 4 5 6 7 8 9	you driving? A GLK. Q And where had you purchased that vehicle from? A BW. Q And you had financed that purchase; is that correct? A Yes. Q And that's through PenFed as well? A Yes.	2 3 4 5 6 7 8 9	A Uh-huh, yes. Q And did you test-drive it at that time? A Yes. Q Do you recall what day of the week he brought it home? A It was a Friday. Q And that's the same white BMW that's at issue in this case? A Yes.	21
2 3 4 5 6 7 8 9 10 11	you driving? A GLK. Q And where had you purchased that vehicle from? A BW. Q And you had financed that purchase; is that correct? A Yes. Q And that's through PenFed as well? A Yes. Q Pentagon Federal. Do you know	2 3 4 5 6 7 8 9 10 11	A Uh-huh, yes. Q And did you test-drive it at that time? A Yes. Q Do you recall what day of the week he brought it home? A It was a Friday. Q And that's the same white BMW that's at issue in this case? A Yes. Q And did you drive it over that weekend	21
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	you driving? A GLK. Q And where had you purchased that vehicle from? A BW. Q And you had financed that purchase; is that correct? A Yes. Q And that's through PenFed as well? A Yes. Q Pentagon Federal. Do you know approximately when you purchased that vehicle? A 2012, I think. Q And there was a loan amount still outstanding on that car; is that correct? A Yes. Q So do you recall when you first decided to look for a new vehicle? A Somewhere around the beginning of the year, 2014. Q And how did you decide on the the BMW	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A Uh-huh, yes. Q And did you test-drive it at that time? A Yes. Q Do you recall what day of the week he brought it home? A It was a Friday. Q And that's the same white BMW that's at issue in this case? A Yes. Q And did you drive it over that weekend test-drive it, I guess? A Yes, I did. Q And at that time did you decide to purchase the vehicle? A Yes. Q And what were the terms of purchase to be? A The terms? Q Did you work out how you were going to purchase the vehicle from BW Auto?	21
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	you driving? A GLK. Q And where had you purchased that vehicle from? A BW. Q And you had financed that purchase; is that correct? A Yes. Q And that's through PenFed as well? A Yes. Q Pentagon Federal. Do you know approximately when you purchased that vehicle? A 2012, I think. Q And there was a loan amount still outstanding on that car; is that correct? A Yes. Q So do you recall when you first decided to look for a new vehicle? A Somewhere around the beginning of the year, 2014.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Uh-huh, yes. Q And did you test-drive it at that time? A Yes. Q Do you recall what day of the week he brought it home? A It was a Friday. Q And that's the same white BMW that's at issue in this case? A Yes. Q And did you drive it over that weekend test-drive it, I guess? A Yes, I did. Q And at that time did you decide to purchase the vehicle? A Yes. Q And what were the terms of purchase to be? A The terms? Q Did you work out how you were going to	21

	22			24
1	Q Did you make any payments at that time?	1	a car purchase?	
2	A No.	2	A It was just a savings that I had.	
3	Q Did you sign a contract at that time?	3	Q And was that savings funded by your	
4	A No.	4	salary and your rental properties?	
5	Q Do you recall when you first did sign a	5	A It was just my savings.	
6	contract?	6	Q So what were the sources of your savings	
7	A I did a deposit on the 11th, a transfer	7	at that time?	
8	to deposit on the 11th. I think the contract was	8	A I don't I don't just whatever	
9	on the 16th.	9	savings I had, I would put in that account. I	
10	Q Sure. And I'm not trying to quiz you or	10	don't recall where specifically they	
11	anything, so you should feel free to look at the	11	Q Sure. So I guess the general question	
12	A I think it was the 16th.	12	I'm asking is, when you're building up your savings	
13	Q The 16th of	13	account, what were the sources of income for that	
14	A March.	14	money?	
15	O March?	15	A It would be, you know I don't	
16	A And I transferred the deposit on the	16	really I don't think I'm following. Whatever	
17	11th, which was after he brought the car home.	17	savings that I would have I would put in that	
18	Q Well, I'll say, Ms. Mahdavi, don't feel	18	account, so it would be whatever savings I would	
19	any pressure if you don't remember an exact date	19	have from my employment.	
20	because we'll go through these documents.	20	Q Right. So it would be the source of	
21	A Okay.	21	that savings would be your salary?	
22	Q I shall say, if you do want to go through	22	A And my	
	2 Total out, it you do want to go unough			
	23			25
1	them at any time today, you should feel free to do	1	Q And rental properties?	
2	that if you think it will help you answer a	2	A Yes.	
3	question. And do you recall signing a contract to	3	Q Other than salary and rental properties,	
4	purchase around that time in March?	4	was there anywhere else that you got money for your	
5	A Yes.	5	savings account?	
6	Q Do you recall signing any other	6	A Not that I recall.	
7	documents, other than the contract to purchase, in	7	Q Did Mr. Mahdavi ever give you money for	
8	March?	8	your savings?	
9	A No.	9	A No.	
10	Q And was the deposit you made the \$23,000	10	Q And is it true that from the time	
11	deposit?	11	Mr. Mahdavi brought the vehicle home in early March	
12	A Yes.	12	that it remained on the property, at your house, in	
13	Q And that came from one of your accounts?	13	your possession?	
14	A Yes.	14	A No, he drove it back and forth to work.	
	Q And which account was that, if you can	15	Q Did he drive it back and forth every day	
15	(
15 16	recall?	16	to work?	
1		16 17	to work? A Not every day. I mean, he drives a	
16	recall?	ı		
16 17	recall? A The Bank of America.	17	A Not every day. I mean, he drives a	
16 17 18	recall? A The Bank of America. Q And was that approximately all of the	17 18	A Not every day. I mean, he drives a different car every day.	
16 17 18 19	recall? A The Bank of America. Q And was that approximately all of the money you had in that Bank of America account at	17 18 19	A Not every day. I mean, he drives a different car every day. Q From the lot?	
16 17 18 19 20	recall? A The Bank of America. Q And was that approximately all of the money you had in that Bank of America account at that time?	17 18 19 20	A Not every day. I mean, he drives adifferent car every day.Q From the lot?A Uh-huh.	

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	26			28
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q When was the first time did he drive it back the Monday after that first weekend in March when you first test-drove it? A The Monday, I honestly can't recall. Q Now, after you signed the contract in March and made the deposit, did you keep the vehicle at that time? A No. Q And what was I guess, what was the plan for when you were going to complete the purchase of the vehicle? A The plan? Well, I was in the process of refinancing rental properties, so that's why my husband had me do the down payment. Q So the idea was that you'd make a down payment in March and then complete the purchase at some later time? A Yes.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	starting to use the vehicle as your own? A I think so. Q Do you recall filling out an application for title? A No. Q Would that have been handled at BW Auto? A Yes. Q And was that your husband who handled that? A I don't know. Q Did you talk to anyone at NextGear while you were going through the process of purchasing this vehicle? A No. Q Did your husband tell you anything about who else was involved in the purchase of your vehicle? A No.	
19	Q And you said this was the way your	19	Q Did you speak when you were before	
20	husband proposed to structure the deal?	20	purchasing the vehicle, did you speak with anyone	
21	A Yes.	21	at PenFed regarding the financing?	
22	Q So do you recall the first time that you	22	A No.	
		_		
	27			29
1	had the vehicle as your vehicle?	1	Q Did your husband handle that aspect of	29
1 2	had the vehicle as your vehicle? A I want to say it was April some	1 2	the purchase?	29
	had the vehicle as your vehicle? A I want to say it was April some mid-April.	1 2 3	the purchase? A Yes.	29
2 3 4	had the vehicle as your vehicle? A I want to say it was April some mid-April. Q And was that after you completed	3 4	the purchase? A Yes. Q Do you recall if your husband told you	29
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	30			32
1	them by the page numbers that are printed in the	1	A A construction company.	
2	lower right-hand corner, Mahdavi 001.	2	Q And so you decided that, I guess, it's	
3	A Oh, okay.	3	A We'd use the car as a company car.	
4	Q Was this title that you had for the car	4	Q And does the company have a name?	
5	after the purchase?	5	A I'm still speaking with the CPA, my tax	
6	A Yes, this is what came in the mail.	6	CPA, to figure out which type of company I need to	
7	Q And did you say earlier you didn't recall	7	file.	
8	filling out an application for this title; is that	8	Q At what stage was this company formation	
9	correct?	9	in April of 2014?	
10	A Yes.	10	A Well, Montauk Avenue is still under	
11	Q And what's the address I know you	11	construction, so we were in the middle of the	
12	answered this in your interrogatories, but what was	12	project.	
13	this address, the Temple Hills address?	13	Q So is the Montauk so Montauk Avenue is	
14	A This is the address at I have an	14	a is it a residential home?	
15	office here.	15	A I tore it down.	
16	Q And that's is that a client office?	16	Q And you're rebuilding a new home?	
17	A Yes.	17	A Uh-huh.	
18	Q And how frequently are you at that	18	Q So there's no residence there right now;	
19	office?	19	is that correct?	
20	A Every couple months.	20	A No.	
21	Q Is that where this was sent to, this	21	Q And what was the status of that project	
22	Certificate of Title?	22	in April of 2014?	
	31			33
1	31 A I think so. The this is the address	1	A It had been torn down.	33
1 2		1 2	A It had been torn down.Q And so when you say you were forming a	33
	A I think so. The this is the address	l		33
2	A I think so. The this is the address that Maryland has on file, so that's why the title	2	Q And so when you say you were forming a	33
2 3	A I think so. The this is the address that Maryland has on file, so that's why the title went there.	2 3	Q And so when you say you were forming a company, was it a company to handle this one	33
2 3 4	A I think so. The this is the address that Maryland has on file, so that's why the title went there. Q And do you know why that address was used rather than your home address? A Because I was registering the vehicle in	2 3 4	Q And so when you say you were forming a company, was it a company to handle this one residential property? A This is the first one. Q And that was going to be a Maryland	33
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	34			36
1	A Yes.	1	Q Sorry. Yes. Did you discuss with him	
2	Q And up until April 2014, is it correct	2	the need to have a Maryland address if you were	
3	that no actual company had been formed with regards	3	going to register the car in Maryland?	
4	to the Montauk Avenue property?	4	A Well, the point was to use the car with	
5	A Not yet.	5	the new company and the company was a Maryland	
6	Q And so it still hasn't been formed; is	6	company, so the address being a Maryland address	
7	that correct?	7	was because the company was going to be a Maryland	
8	A It's in the process.	8	company. It really wasn't the other way around.	
9	Q So were you making were you paying for	9	Q Right. Well, you had to have a Maryland	
10	the work on Montauk Avenue from personal funds?	10	address to register the car in Maryland; is that	
11	MR. LEVINE: Objection, relevance.	11	correct?	
12	THE WITNESS: Yeah.	12	A Yes.	
13	BY MR. BRAGDON:	13	Q And is that why so that's why you used	
14	Q And so are you saying that the eventual	14	your client's address the work address at your	
15	plan was that the car would be owned by the company	15	client's office?	
16	or that you would use it for business purposes?	16	A This address?	
17	A Use it for business purposes.	17	Q Yes.	
18	Q Did you plan on transferring title of the	18	A No, that's just the address that Maryland	
19	car to the company?	19	had on file for me. That's why the title got sent	
20	A I hadn't thought the whole process	20	there. I didn't give Maryland that address.	
21	through yet. It was more of a I was still	21	That's just the address they had on file.	
22	speaking to the CPA who does my taxes to figure out	22	Q Do you know what address you did give	
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	35			37
1	35	1	Momiland?	37
1	what the best approach was.	1 2	Maryland?	37
2	what the best approach was. Q So did you make the choice then to use	1 2 2	A The Montauk Avenue.	37
3	what the best approach was. Q So did you make the choice then to use this Maryland address as your address for the BMW	3	A The Montauk Avenue. Q Now, you didn't fill out the form for the	37
2 3 4	what the best approach was. Q So did you make the choice then to use this Maryland address as your address for the BMW Certificate of Title?	3 4	A The Montauk Avenue. Q Now, you didn't fill out the form for the title application?	37
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2 3 4 5 6 7	what the best approach was. Q So did you make the choice then to use this Maryland address as your address for the BMW Certificate of Title? A Yes. Q Were you concerned that by using the Maryland address that you were you concerned	3 4 5 6 7	A The Montauk Avenue. Q Now, you didn't fill out the form for the title application? A Exactly, I had not done that yet. Q Did you eventually fill out a form for title?	37
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2 3 4 5 6 7 8 9	what the best approach was. Q So did you make the choice then to use this Maryland address as your address for the BMW Certificate of Title? A Yes. Q Were you concerned that by using the Maryland address that you were you concerned about using an address that you didn't regularly check mail on?	3 4 5 6 7 8 9	A The Montauk Avenue. Q Now, you didn't fill out the form for the title application? A Exactly, I had not done that yet. Q Did you eventually fill out a form for title? A I don't know if my husband did that. Q So do you know what address was on that	37
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	38			40
1	Q The GLK, yes.	1 d	lrive currently?	
2	A I think it was originally registered	2	A I actually carpool with someone from	
3	there. It is registered in Virginia now.	3 w	vork.	
4	Q Do you still have that vehicle?	4	Q Is that someone who lives close to you?	
5	A Yes.	5	A Yes.	
6	Q Is that the vehicle you're currently	6	Q Do you alternate driving or do they drive	
7	driving?	7 e	every day?	
8	A I have it, yes.	8	A She drives most of the time.	
9	Q So if you can flip to Page 15 of your	9	Q When you drive, what vehicle do you use?	
10	production. The address on this is an insurance	10	A It depends. The GLK.	
11	policy document; is that correct?	11	Q And what other so the GLK, what make	
12	A Yes.	12 is	s that?	
13	Q Is that a document that you had or that	13	A Mercedes.	
14	you got from your husband?	14	Q And what year is the GLK, if you know,	
15	A This I had.	15 th	he year of the model?	
16	Q And so you the Montauk Avenue, you	16	A It's 2011.	
17	also chose to have the car insured at that address	17	Q Are there other vehicles that you use	
18	as well?	18 si	ince the repossession of the BMW?	
19	A Yes, that's the same address.	19	A I have my sister's car.	
20	Q When the construction was completed at	20	Q Do you sometimes use your sister's car	
21	Montauk Avenue, was it your intent to sell that as	21 fc	or the carpool or for errands?	
22	a residential property?	22	A Yes.	
	39			41
1	A It's not complete.	1	Q Are there any other vehicles that you	41
2	A It's not complete.Q I guess my question is, is it planned	2 u	ise?	41
	A It's not complete. Q I guess my question is, is it planned that that will be some sort of office or that will	2 u	ase? A No.	41
2 3 4	A It's not complete. Q I guess my question is, is it planned that that will be some sort of office or that will be a construction project you sell to a residential	2 u 3 4	A No. Q And what's the make of your sister's car?	41
2 3 4 5	A It's not complete. Q I guess my question is, is it planned that that will be some sort of office or that will be a construction project you sell to a residential purchaser?	2 u 3 4 5	A No. Q And what's the make of your sister's car? A A Porsche.	41
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2 3 4 5 6 7 8	A It's not complete. Q I guess my question is, is it planned that that will be some sort of office or that will be a construction project you sell to a residential purchaser? A Sell. Q Is it fair to say that you didn't plan on living at Montauk Avenue after it was completed?	2 u 3 4 5 6 7 v 8	A No. Q And what's the make of your sister's car? A A Porsche. Q Have you ever have you rented a rehicle since your BMW was repossessed? A No.	41
2 3 4 5 6 7 8 9	A It's not complete. Q I guess my question is, is it planned that that will be some sort of office or that will be a construction project you sell to a residential purchaser? A Sell. Q Is it fair to say that you didn't plan on living at Montauk Avenue after it was completed? A At this point in time, no.	2 u 3 4 5 6 7 v 8	A No. Q And what's the make of your sister's car? A A Porsche. Q Have you ever have you rented a vehicle since your BMW was repossessed? A No. Q And is it fair to say that because it's	41
2 3 4 5 6 7 8 9	A It's not complete. Q I guess my question is, is it planned that that will be some sort of office or that will be a construction project you sell to a residential purchaser? A Sell. Q Is it fair to say that you didn't plan on living at Montauk Avenue after it was completed? A At this point in time, no. Q Can you turn to Page 19? This is the	2 u 3 4 5 6 7 v 8 9 10 y	A No. Q And what's the make of your sister's car? A A Porsche. Q Have you ever have you rented a rehicle since your BMW was repossessed? A No. Q And is it fair to say that because it's your sister that it's an informal arrangement where	41
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A It's not complete. Q I guess my question is, is it planned that that will be some sort of office or that will be a construction project you sell to a residential purchaser? A Sell. Q Is it fair to say that you didn't plan on living at Montauk Avenue after it was completed? A At this point in time, no. Q Can you turn to Page 19? This is the Purchase Agreement that you signed for the BMW; is that correct? A Yes. Q At the time you signed this agreement, you understood there was an unpaid balance of \$64,000; is that correct? A Yes. Q And was it your understanding that you would have obtained that amount through financing	2 u 3 4 5 6 7 v 8 9 10 y 11 sl 12 13 14 cc 15 ac 16 d 17 18 19 th	A No. Q And what's the make of your sister's car? A A Porsche. Q Have you ever have you rented a rehicle since your BMW was repossessed? A No. Q And is it fair to say that because it's rour sister that it's an informal arrangement where the has allowed you to borrow it? A Yes. Q Can you turn to Mahdavi 22, please? And can you confirm when you get there that this is the account statement for the account you paid the deposit for the BMW? A Yes. Q Do you recall can you estimate what the balance was on the account at the end of 2013?	41
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A It's not complete. Q I guess my question is, is it planned that that will be some sort of office or that will be a construction project you sell to a residential purchaser? A Sell. Q Is it fair to say that you didn't plan on living at Montauk Avenue after it was completed? A At this point in time, no. Q Can you turn to Page 19? This is the Purchase Agreement that you signed for the BMW; is that correct? A Yes. Q At the time you signed this agreement, you understood there was an unpaid balance of \$64,000; is that correct? A Yes. Q And was it your understanding that you would have obtained that amount through financing	2 u 3 4 5 6 7 v 8 9 10 y 11 sl 12 13 14 c: 15 ac 16 d 17 18 19 tl 20 21	A No. Q And what's the make of your sister's car? A A Porsche. Q Have you ever have you rented a rehicle since your BMW was repossessed? A No. Q And is it fair to say that because it's rour sister that it's an informal arrangement where the has allowed you to borrow it? A Yes. Q Can you turn to Mahdavi 22, please? And can you confirm when you get there that this is the account statement for the account you paid the deposit for the BMW? A Yes. Q Do you recall can you estimate what the balance was on the account at the end of 2013?	41

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	42			44
1	that had built up in a very that the variations	1	A No, they didn't they didn't pay off	
2	were slight as you took money out and put money in	2	the GLK, so my husband brought the car back home.	
3	or was it an account that there were large changes	3	Q Okay. So Beltway didn't pay off the GLK?	
4	or variations in it?	4	A Right.	
5	A No, it pretty much stayed the same.	5	Q And when did you learn that Beltway	
6	Q Were there any so there is it fair	6	hadn't done that?	
7	to say there wouldn't have been any large transfer	7	A It was it was later. It was sometime	
8	into the account in early 2014 before purchase of	8	later in May.	
9	the vehicle?	9	Q And do you recall what your husband told	
10	A 2014? I'd have to go back and look.	10	you about that?	
11	Q Were there any other conversations you	11	A He just brought I he brought the	
12	had that we haven't already discussed before	12	car back home.	
13	purchase of the vehicle about the BMW with your	13	MR. BRAGDON: Give me one minute. I'm	
14	husband that you can recall?	14	flipping through these documents. Do you want to	
15	A No.	15	take a short break?	
16	Q Is it fair to say that you didn't get	16	MR. LEVINE: Do you want to take a break?	
17	into the details of how the purchase was going to	17	THE WITNESS: It doesn't matter.	
18	happen?	18	MR. BRAGDON: Do you mind if I do?	
19	A No.	19	MR. LEVINE: No, go right ahead.	
20	Q Is that not fair to say? I'm sorry. I	20	(Brief pause.)	
21	asked the question in probably a bad way. Did you	21	BY MR. BRAGDON:	
22	get into the details before the purchase with your	22	Q Ms. Mahdavi, I want to talk a little bit	
	43			45
1	husband?	1	about the night of the repossession of the BMW.	45
1 2	husband?	1 2	about the night of the repossession of the BMW. A Uh-huh.	45
2	husband? A No, not at all.	1 2 3	A Uh-huh.	45
	husband? A No, not at all.	ı		45
2 3	husband? A No, not at all. Q Has the amount the outstanding amount on the loan for the GLK with PenFed, has that been	3	A Uh-huh. Q Was it a Monday night?	45
2 3 4	husband? A No, not at all. Q Has the amount the outstanding amount	3 4	A Uh-huh.Q Was it a Monday night?A Yes.Q Who was at home?	45
2 3 4 5	husband? A No, not at all. Q Has the amount the outstanding amount on the loan for the GLK with PenFed, has that been paid off?	3 4 5	A Uh-huh.Q Was it a Monday night?A Yes.	45
2 3 4 5 6 7	husband? A No, not at all. Q Has the amount the outstanding amount on the loan for the GLK with PenFed, has that been paid off? A No. Q Are you still paying that amount?	3 4 5 6 7	A Uh-huh.Q Was it a Monday night?A Yes.Q Who was at home?A I was at home with my kids.Q Was your husband at home?	45
2 3 4 5 6	husband? A No, not at all. Q Has the amount the outstanding amount on the loan for the GLK with PenFed, has that been paid off? A No.	3 4 5 6	A Uh-huh.Q Was it a Monday night?A Yes.Q Who was at home?A I was at home with my kids.	45
2 3 4 5 6 7 8	husband? A No, not at all. Q Has the amount the outstanding amount on the loan for the GLK with PenFed, has that been paid off? A No. Q Are you still paying that amount? A Yes.	3 4 5 6 7 8	 A Uh-huh. Q Was it a Monday night? A Yes. Q Who was at home? A I was at home with my kids. Q Was your husband at home? A No. 	45
2 3 4 5 6 7 8 9	husband? A No, not at all. Q Has the amount the outstanding amount on the loan for the GLK with PenFed, has that been paid off? A No. Q Are you still paying that amount? A Yes. Q Did you receive a trade-in credit for	3 4 5 6 7 8 9	 A Uh-huh. Q Was it a Monday night? A Yes. Q Who was at home? A I was at home with my kids. Q Was your husband at home? A No. Q Do you know where he was? 	45
2 3 4 5 6 7 8 9	husband? A No, not at all. Q Has the amount the outstanding amount on the loan for the GLK with PenFed, has that been paid off? A No. Q Are you still paying that amount? A Yes. Q Did you receive a trade-in credit for purchase of the BMW?	3 4 5 6 7 8 9 10	 A Uh-huh. Q Was it a Monday night? A Yes. Q Who was at home? A I was at home with my kids. Q Was your husband at home? A No. Q Do you know where he was? A I don't know. 	45
2 3 4 5 6 7 8 9 10 11	husband? A No, not at all. Q Has the amount the outstanding amount on the loan for the GLK with PenFed, has that been paid off? A No. Q Are you still paying that amount? A Yes. Q Did you receive a trade-in credit for purchase of the BMW? A I was supposed to on the agreement. So	3 4 5 6 7 8 9 10 11	 A Uh-huh. Q Was it a Monday night? A Yes. Q Who was at home? A I was at home with my kids. Q Was your husband at home? A No. Q Do you know where he was? A I don't know. Q And I know you described this in your 	45
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	husband? A No, not at all. Q Has the amount the outstanding amount on the loan for the GLK with PenFed, has that been paid off? A No. Q Are you still paying that amount? A Yes. Q Did you receive a trade-in credit for purchase of the BMW? A I was supposed to on the agreement. So technically I've paid how do you say it? Yes, I was supposed to get a trade-in allowance on the deal, but I didn't get it. We took the car back. Q The GLK? A Right.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Uh-huh. Q Was it a Monday night? A Yes. Q Who was at home? A I was at home with my kids. Q Was your husband at home? A No. Q Do you know where he was? A I don't know. Q And I know you described this in your interrogatories, but can you describe briefly what happened or what you observed that night? A It was the middle of the night. The doorbell rang. The guy said, Give me the keys to the white BMW. I went outside. There were two guys. He said he was there for Dave. I don't know	45
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	husband? A No, not at all. Q Has the amount the outstanding amount on the loan for the GLK with PenFed, has that been paid off? A No. Q Are you still paying that amount? A Yes. Q Did you receive a trade-in credit for purchase of the BMW? A I was supposed to on the agreement. So technically I've paid how do you say it? Yes, I was supposed to get a trade-in allowance on the deal, but I didn't get it. We took the car back. Q The GLK? A Right. Q So was the amount so the original plan was that you would get a trade-in credit and trade the car in? A Yes.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Uh-huh. Q Was it a Monday night? A Yes. Q Who was at home? A I was at home with my kids. Q Was your husband at home? A No. Q Do you know where he was? A I don't know. Q And I know you described this in your interrogatories, but can you describe briefly what happened or what you observed that night? A It was the middle of the night. The doorbell rang. The guy said, Give me the keys to the white BMW. I went outside. There were two guys. He said he was there for Dave. I don't know who Dave is. He said, Give me the keys to the BMW. I called my husband. He said, No, don't give him the keys. He goes, That's your car. He's like,	45

	46			48
1 2 3 4 5 6 7 8 9 10 11 12 13	tow truck. When I went to call the police, the guy left. I told him to leave, and then when I called the police when I told him I was calling the police, they left. Q And he left with the vehicle? A Uh-huh, yes. He didn't tell me his name. He didn't give me a business card. He didn't he didn't say anything. All he said was, I'm there for Dave. Q And when you talked to your husband that night, did he say anything else about why the car might be being repossessed? A No, the only thing he said is, No. He	1 2 3 4 5 6 7 8 9 10 11 12 13	issues at BW involving duplicate titles being obtained? A No. Q Are there any conversations you've had with your husband after repossession of the vehicle about BW Auto that you can recall? A About BW? Q Auto. A Only regarding my case. Q Has he told you anything about the Maryland litigation? A No. Q And what has he told you about this case?	
14	said, That's your car. He said, Tell him to leave,	14	A Just that told me about this case?	
15	that you're calling the police.	15	mean, we've talked about, I mean, I bought a car,	
16	Q Had your husband up to that point told	16	you guys took my car, it's been six months, I want	
17	you anything about any issues at BW Auto?	17	my car back.	
18	A No.	18	Q Can we talk a little bit about the	
19	Q And after that did your husband tell you	19	property that you have alleged was in the car at	
20	anything more about what was going on at BW Auto?	20	the time it was repossessed? Is it your contention	
21 22	A The only thing he told me was that the car was taken because of BW.	21 22	there was a Cartier watch in the car? A Yes.	
22	car was taken because of Bw.	22	A Tes.	
	47			49
1	Q Did he give you any details about what	1	Q When did you get the watch?	
2	was going on at BW with you?	2	A It was my husband's watch.	
3	A No.	3	Q Was it a watch that you wore?	
4	Q Has he ever said anything to you about	4	A Yes.	
$\begin{vmatrix} 5 \\ 6 \end{vmatrix}$	Mr. Molavi or Ms. Nozary about what about any	5		
		Ι.	Q Can you describe it generally?	
	actions they have taken at BW Auto? A No	6	A It was a Cartier Pasha with diamonds	
7 8	A No.	6 7	A It was a Cartier Pasha with diamonds around the bezel.	
7		Ι.	A It was a Cartier Pasha with diamonds	
7 8	A No.Q Did your husband come home after that	6 7 8	A It was a Cartier Pasha with diamonds around the bezel. Q And	
7 8 9 10 11	 A No. Q Did your husband come home after that incident? A After I called him? Q Yeah, that night. 	6 7 8 9 10 11	A It was a Cartier Pasha with diamonds around the bezel. Q And MR. MARKELS: Around the what? THE WITNESS: Around the bezel, around the edge.	
7 8 9 10 11 12	A No. Q Did your husband come home after that incident? A After I called him? Q Yeah, that night. A Yes.	6 7 8 9 10 11 12	A It was a Cartier Pasha with diamonds around the bezel. Q And MR. MARKELS: Around the what? THE WITNESS: Around the bezel, around the edge. MR. MARKELS: I didn't know there was a	
7 8 9 10 11 12 13	 A No. Q Did your husband come home after that incident? A After I called him? Q Yeah, that night. A Yes. Q He got there after did he get there 	6 7 8 9 10 11 12 13	A It was a Cartier Pasha with diamonds around the bezel. Q And MR. MARKELS: Around the what? THE WITNESS: Around the bezel, around the edge. MR. MARKELS: I didn't know there was a technical term for that.	
7 8 9 10 11 12 13 14	A No. Q Did your husband come home after that incident? A After I called him? Q Yeah, that night. A Yes. Q He got there after did he get there after the repossession, P.A.R. had left?	6 7 8 9 10 11 12 13 14	A It was a Cartier Pasha with diamonds around the bezel. Q And MR. MARKELS: Around the what? THE WITNESS: Around the bezel, around the edge. MR. MARKELS: I didn't know there was a technical term for that. BY MR. BRAGDON:	
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7 8 9 10 11 12 13 14 15 16	A No. Q Did your husband come home after that incident? A After I called him? Q Yeah, that night. A Yes. Q He got there after did he get there after the repossession, P.A.R. had left? A Yes. Q Did your husband continue reporting to	6 7 8 9 10 11 12 13 14 15 16	A It was a Cartier Pasha with diamonds around the bezel. Q And MR. MARKELS: Around the what? THE WITNESS: Around the bezel, around the edge. MR. MARKELS: I didn't know there was a technical term for that. BY MR. BRAGDON: Q And do you know when your husband got that watch?	
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7 8 9 10 11 12 13 14 15 16 17 18	A No. Q Did your husband come home after that incident? A After I called him? Q Yeah, that night. A Yes. Q He got there after did he get there after the repossession, P.A.R. had left? A Yes. Q Did your husband continue reporting to work after that. A I don't know. Q Do you know the last time your husband	6 7 8 9 10 11 12 13 14 15 16 17 18	A It was a Cartier Pasha with diamonds around the bezel. Q And MR. MARKELS: Around the what? THE WITNESS: Around the bezel, around the edge. MR. MARKELS: I didn't know there was a technical term for that. BY MR. BRAGDON: Q And do you know when your husband got that watch? A I don't know. Q And when did you start wearing it? A I've been wearing it the last ten years	

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1	Q Was it ever appraised?	1	regular practice to leave it in the car, though?	
2	A Yes.	2	A I mean, I'm sure I've left it in my car	
3	Q Was that for insurance purposes?	3	before, yes. Is it my regular practice? I	
4	A Yes.	4	couldn't say that that's my regular practice.	
5	Q Do you have a copy of that appraisal?	5	Q You also say you left a gym bag in the	
6	A The appraisal, no. The insurance doesn't	6	car, in the BMW?	
7	have it anymore.	7	A Uh-huh.	
8	Q Do you have a copy of an insurance	8	Q Would that have had your gym clothes in	
9	statement where the appraisal is listed?	9	it?	
10	A Yes.	10	A It just had an extra set of gym clothes.	
11	Q Did you wear it every day?	11	Q So you didn't is it that since there's	
12	A No.	12	no locker room, did you change after the workout or	
13	Q How often did you wear it?	13	did you just have	
14	A Maybe once every couple weeks.	14	A I just always kept an extra gym bag in	
15	Q And where did you keep it in between	15	the car.	
16	wearing it?	16	Q And what were the what was in that gym	
17	A In my closet.	17	bag?	
18	Q Were you wearing it the Monday that the	18	A I just always kept a pair of tennis	
19	BMW was repossessed?	19	shoes, pants, sports bra, shirt, and a sweatshirt.	
20	A Yes.	20	Q And you also said there was rent money in	
21	Q Did you wear it to work that day?	21	the car?	
22	A Yes.	22	A Yes.	
		_		
		ı		
	51			53
1		1	Q And that was cash?	53
1 2	Q And you said that you went to the gym after work?	1 2	Q And that was cash? A Yes.	53
	Q And you said that you went to the gym	1		53
2	Q And you said that you went to the gym after work? A Yes.	2	A Yes.	53
2 3	Q And you said that you went to the gym after work?	2 3	A Yes.Q Were there any checks?A No.	53
2 3 4	Q And you said that you went to the gym after work?A Yes.Q And you kept the watch in the car while	2 3 4	A Yes.Q Were there any checks?A No.	53
2 3 4 5	Q And you said that you went to the gym after work? A Yes. Q And you kept the watch in the car while you were in the gym?	2 3 4 5	A Yes.Q Were there any checks?A No.Q Do you know who paid that rent money that	53
2 3 4 5 6 7	Q And you said that you went to the gym after work? A Yes. Q And you kept the watch in the car while you were in the gym? A Yes.	2 3 4 5 6	A Yes. Q Were there any checks? A No. Q Do you know who paid that rent money that was in the car?	53
2 3 4 5 6 7	Q And you said that you went to the gym after work? A Yes. Q And you kept the watch in the car while you were in the gym? A Yes. Q Did you put the watch back on after	2 3 4 5 6 7	A Yes. Q Were there any checks? A No. Q Do you know who paid that rent money that was in the car? A The tenants that pay cash. I can get	53
2 3 4 5 6 7 8	Q And you said that you went to the gym after work? A Yes. Q And you kept the watch in the car while you were in the gym? A Yes. Q Did you put the watch back on after leaving the gym?	2 3 4 5 6 7 8	A Yes. Q Were there any checks? A No. Q Do you know who paid that rent money that was in the car? A The tenants that pay cash. I can getyou mean, you want the tenant's names?	53
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	54			56
1	A Yes.	1	A Common, no.	
2	Q Do you know, which tenants were they?	2	Q What vehicle did you drive here today?	
3	You can just say their last name.	3	A The Porsche.	
4	A I'd have to go back and look and see	4	Q I guess, what other damages have you	
5	which ones they are.	5	incurred as a result of the repossession? I	
6	Q Is that rent for three properties or two	6	think let me take that back.	
7	properties?	7	Was there any other property that I	
8	A I think it was two.	8	haven't mentioned that was in the car?	
9	Q And when did you pick up that cash?	9	A The car seat.	
10	A It was the weekend before.	10	Q So, actually, there was the car seat that	
11				
	Q And what was your usual practice for	11	you mentioned, phone chargers. Was there anything else other than that?	
12	handling cash rent payments?	12		
13	A She collects it, and then when I see her,	13	A And boxing gloves. I think that was it.	
14	she gives it to me and then I take it to the bank.	14	Q So what other damages are you alleging	
15	Q And what bank do you go to?	15	that the repossession caused you, monetary damages?	
16	A SunTrust.	16	A Monetary damages? The fact that I'm	
17	Q And do you know when that weekend before	17	paying for another car. I'm paying for a car that	
18	the repossession you met with the property manager?	18	I don't have. I'm paying legal fees. I'm taking	
19	A That Sunday.	19	time off work.	
20	Q And what's her name?	20	Q And is PenFed continuing to require you	
21	A Mitzi Davis.	21	to make payments on the car?	
22	Q And where did you meet with her?	22	A I have made payments. I have had some	
	55			57
1	55 A At her house.	1	payments deferred. I'm paying car insurance.	57
	A At her house.	1 2	payments deferred. I'm paying car insurance. O Has there been any negative action on	57
2	A At her house. Q Is that in Virginia?	l	Q Has there been any negative action on	57
	A At her house.Q Is that in Virginia?A Winchester, Virginia.	3	Q Has there been any negative action on your credit in the last year that you know of?	57
2 3 4	 A At her house. Q Is that in Virginia? A Winchester, Virginia. Q And what day was it normal that you'd 	3 4	Q Has there been any negative action on your credit in the last year that you know of? A My credit score has dropped.	57
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2 3 4 5 6	A At her house. Q Is that in Virginia? A Winchester, Virginia. Q And what day was it normal that you'd be picking up the rent from her in the middle of the month?	3 4 5	 Q Has there been any negative action on your credit in the last year that you know of? A My credit score has dropped. Q And why is that? A Because of the balance. 	57
2 3 4 5 6 7	A At her house. Q Is that in Virginia? A Winchester, Virginia. Q And what day was it normal that you'd be picking up the rent from her in the middle of the month? A Most of the tenants don't pay until the	3 4 5 6 7	Q Has there been any negative action on your credit in the last year that you know of? A My credit score has dropped. Q And why is that? A Because of the balance. Q To your knowledge, has PenFed declared a	57
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	58			60
1	for the month of for the next month?	₁	A No.	
2	A I don't know yet.	2	Q You stated that what has been marked as	
3	Q Is it just the bank tells you every month	3	Mahdavi well, in Exhibit Number 3, what is the	
4	whether they need you to pay or not?	4	very first page of Exhibit 3, that's your	
5	A I haven't heard back yet.	5	Certificate of Title. Is that the only evidence of	
6	Q And when you did hear of course don't	6	title that you've seen regarding the BMW to date?	
	tell me anything that your attorney told you, but	7	A Yes.	
7		1		
8	when you did hear that you were going to have	8	Q Do you have any indication that NextGear	
9	payments deferred, was it someone other than your	9	ever authorized the sale of the BMW to anybody?	
10	attorney who told you that?	10	A Repeat your question.	
11	A No.	11	Q Do you have any evidence to indicate that	
12	Q Were there any other conversations you	12	NextGear ever authorized the sale of the BMW to	
13	had prior to the repossession I'll say prior to	13	anybody?	
14	the purchase of the vehicle with your husband about	14	MR. LEVINE: Objection to form.	
15	the procedure for purchasing the car that we	15	THE WITNESS: I don't know. I don't	
16	haven't talked about today?	16	not that I know of. I don't know.	
17	A No.	17	BY MR. MARKELS:	
18	MR. BRAGDON: I'll go over my notes. I	18	Q All right. Have you seen as part of the	
19	may not have very many more questions for you. I	19	document production in this case prior title held	
20	think it will make sense to let Mr. Markels see if	20	by NextGear to the BMW?	
21	he has any questions.	21	A No. Have I seen it?	
22	MR. MARKELS: I do. Do you want to look	22	Q Yes.	
	59			61
1		١.	A No	61
1 2	over your notes first before I ask my questions?	1	A No. O You've not seen any of the document	61
2	over your notes first before I ask my questions? MR. BRAGDON: I'll just wait for I'll	١.	Q You've not seen any of the document	61
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	62			64
1	car, right?		A Yes.	
2	A Yes.	2	Q Did you review this document before you	
3	Q Was it your assumption when you purchased	3	signed it?	
4	it that BW Auto Outlet was the owner of the car?	4	A Did I read all of it, no.	
5	A Yes, I assumed BW was the owner of the	5	Q Was it your understanding that the cash	
6	car.	6	price of the vehicle at \$71,995 was the accurate	
7	Q Okay. Did you ever at any time ask them	7	agreed-to sale price for the BMW?	
8	to see title to the car in their name?	8	A Yes.	
9	A No.	9	Q Now, if you look down, you will see	
10	Q Was that ever provided to you?	10	various charges, including things like Dealer	
11	A No.	11	Processing Charge, PDI Fee, Registration Fee, Title	
12	Q Did they ever make that representation to	12	Fee, and so forth, right?	
13	you?	13	A Yes.	
14	A No.	14	Q Do you see where it says, "Less:	
15	Q Now, you said that the address on the	15	Trade-In Allowance"? Do you see where it says	
16	Maryland Certificate of Title for the BMW in your	16	that?	
17	name, that address is simply a prior address that	17	A Yes.	
18	Maryland had on file for you?	18	Q Do you see where it says \$22,500 next to	
19	A Uh-huh.	19	that, right?	
20	Q That's a yes?	20	A Yes.	
21	A Yes.	21	Q Was it your understanding that that was a	
22	Q And that was for which car?	22	credit to you for the trade-in of the GLK?	
	And that was for which car:	22	credit to you for the dade-in of the GER:	
		ı		
	63			65
1	A The address?	1	A Yes.	65
1 2		1 2	A Yes.Q And, in fact, that GLK is the vehicle	65
	A The address?			65
2	A The address? Q Yes.		Q And, in fact, that GLK is the vehicle	65
2 3	A The address?Q Yes.A It was for the GLK.	2 3	Q And, in fact, that GLK is the vehicle described under where it says "Trade-In Vehicle	65
2 3 4	A The address?Q Yes.A It was for the GLK.Q Now, speaking of the GLK, you said that	2 3 4	Q And, in fact, that GLK is the vehicle described under where it says "Trade-In Vehicle Information" to the left of that, correct?	65
2 3 4 5	 A The address? Q Yes. A It was for the GLK. Q Now, speaking of the GLK, you said that originally your intention was to trade it in as 	2 3 4 5	Q And, in fact, that GLK is the vehicle described under where it says "Trade-In Vehicle Information" to the left of that, correct? A Yes.	65
2 3 4 5 6	A The address? Q Yes. A It was for the GLK. Q Now, speaking of the GLK, you said that originally your intention was to trade it in as part of the purchase for the BMW, correct?	2 3 4 5 6	Q And, in fact, that GLK is the vehicle described under where it says "Trade-In Vehicle Information" to the left of that, correct? A Yes. Q And that shows the trade-in allowance	65
2 3 4 5 6 7	A The address? Q Yes. A It was for the GLK. Q Now, speaking of the GLK, you said that originally your intention was to trade it in as part of the purchase for the BMW, correct? A Yes.	2 3 4 5 6 7	Q And, in fact, that GLK is the vehicle described under where it says "Trade-In Vehicle Information" to the left of that, correct? A Yes. Q And that shows the trade-in allowance there and the balance owned and lienholder, right?	65
2 3 4 5 6 7 8	A The address? Q Yes. A It was for the GLK. Q Now, speaking of the GLK, you said that originally your intention was to trade it in as part of the purchase for the BMW, correct? A Yes. Q Could you look on Exhibit Number 3, what	2 3 4 5 6 7 8	Q And, in fact, that GLK is the vehicle described under where it says "Trade-In Vehicle Information" to the left of that, correct? A Yes. Q And that shows the trade-in allowance there and the balance owned and lienholder, right? A Yes.	65
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2 3 4 5 6 7 8 9 10 11 12 13 14	A The address? Q Yes. A It was for the GLK. Q Now, speaking of the GLK, you said that originally your intention was to trade it in as part of the purchase for the BMW, correct? A Yes. Q Could you look on Exhibit Number 3, what is Mahdavi 19? Do you see that? A Yes. Q Is that the Retail Purchase Agreement for the BMW? A Yes. Q It was your understanding is that your	2 3 4 5 6 7 8 9 10 11 12 13	Q And, in fact, that GLK is the vehicle described under where it says "Trade-In Vehicle Information" to the left of that, correct? A Yes. Q And that shows the trade-in allowance there and the balance owned and lienholder, right? A Yes. Q Now, if you look under where it says the "Less: Trade-In Allowance" of \$22,500 right below that on the right-hand side, it also says, "Plus: Balance Owed on Trade-In," right? A Yes. Q And there it says \$34,966, right?	65
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A The address? Q Yes. A It was for the GLK. Q Now, speaking of the GLK, you said that originally your intention was to trade it in as part of the purchase for the BMW, correct? A Yes. Q Could you look on Exhibit Number 3, what is Mahdavi 19? Do you see that? A Yes. Q Is that the Retail Purchase Agreement for the BMW? A Yes. Q It was your understanding is that your signature on the bottom left?	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q And, in fact, that GLK is the vehicle described under where it says "Trade-In Vehicle Information" to the left of that, correct? A Yes. Q And that shows the trade-in allowance there and the balance owned and lienholder, right? A Yes. Q Now, if you look under where it says the "Less: Trade-In Allowance" of \$22,500 right below that on the right-hand side, it also says, "Plus: Balance Owed on Trade-In," right? A Yes. Q And there it says \$34,966, right? A Uh-huh.	65
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A The address? Q Yes. A It was for the GLK. Q Now, speaking of the GLK, you said that originally your intention was to trade it in as part of the purchase for the BMW, correct? A Yes. Q Could you look on Exhibit Number 3, what is Mahdavi 19? Do you see that? A Yes. Q Is that the Retail Purchase Agreement for the BMW? A Yes. Q It was your understanding is that your signature on the bottom left? A Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q And, in fact, that GLK is the vehicle described under where it says "Trade-In Vehicle Information" to the left of that, correct? A Yes. Q And that shows the trade-in allowance there and the balance owned and lienholder, right? A Yes. Q Now, if you look under where it says the "Less: Trade-In Allowance" of \$22,500 right below that on the right-hand side, it also says, "Plus: Balance Owed on Trade-In," right? A Yes. Q And there it says \$34,966, right? A Uh-huh. Q So in actuality to trade-in your car	65
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A The address? Q Yes. A It was for the GLK. Q Now, speaking of the GLK, you said that originally your intention was to trade it in as part of the purchase for the BMW, correct? A Yes. Q Could you look on Exhibit Number 3, what is Mahdavi 19? Do you see that? A Yes. Q Is that the Retail Purchase Agreement for the BMW? A Yes. Q It was your understanding is that your signature on the bottom left? A Yes. Q If you would turn it over to Mahdavi 20, was the information on the back of this also part	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q And, in fact, that GLK is the vehicle described under where it says "Trade-In Vehicle Information" to the left of that, correct? A Yes. Q And that shows the trade-in allowance there and the balance owned and lienholder, right? A Yes. Q Now, if you look under where it says the "Less: Trade-In Allowance" of \$22,500 right below that on the right-hand side, it also says, "Plus: Balance Owed on Trade-In," right? A Yes. Q And there it says \$34,966, right? A Uh-huh. Q So in actuality to trade-in your car would cost you an additional \$12,466, right? A Yes.	65
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A The address? Q Yes. A It was for the GLK. Q Now, speaking of the GLK, you said that originally your intention was to trade it in as part of the purchase for the BMW, correct? A Yes. Q Could you look on Exhibit Number 3, what is Mahdavi 19? Do you see that? A Yes. Q Is that the Retail Purchase Agreement for the BMW? A Yes. Q It was your understanding is that your signature on the bottom left? A Yes. Q If you would turn it over to Mahdavi 20, was the information on the back of this also part of that retail sales agreement? A Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q And, in fact, that GLK is the vehicle described under where it says "Trade-In Vehicle Information" to the left of that, correct? A Yes. Q And that shows the trade-in allowance there and the balance owned and lienholder, right? A Yes. Q Now, if you look under where it says the "Less: Trade-In Allowance" of \$22,500 right below that on the right-hand side, it also says, "Plus: Balance Owed on Trade-In," right? A Yes. Q And there it says \$34,966, right? A Uh-huh. Q So in actuality to trade-in your car would cost you an additional \$12,466, right? A Yes. Q So in order to purchase the BMW, you put in \$23,000 as a down payment and then PenFed had to	65

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1	balance owed on your trade-in, right?	1	against BW Outlet for failure to sell you good	
2	A Yes.	2	title to the BMW?	
3	Q And, in fact, if we look at what is	3	MR. LEVINE: Objection, foundation.	
4	Mahdavi 79, if you would take a look at that.	4	BY MR. MARKELS:	
5	A Uh-huh.	5	Q Go ahead and answer.	
6	Q That is the check you produced that was	6	A No, I have not. Not yet.	
7	issued by Pentagon Federal Credit Union in the	7	Q Have you discussed with your husband why	
8	amount of \$64,941.70, right?	8	BW Auto Outlet has not paid you the \$12,466?	
9	A Yes.	9	A No.	
10	Q So they paid the amount that is set forth	10	Q You have not?	
11	on Mahdavi 19, correct?	11	A No.	
12	A Yes.	12	Q Do you know if he still works there?	
13	Q Now, you've said that in May of 2014,	13	A I don't know. Not that I know of. I	
14	some two months after this Retail Purchase	14	don't think it's there anymore.	
15	Agreement was signed, and two months a month	15	Q You don't think it's a going concern	
16	after the Pentagon Federal Credit Union check was	16	anymore?	
17	issued that the trade-in fell through, the GLK came	17	A No, I don't I don't think BW is there	
18	back to your house?	18	anymore.	
19	A I don't remember exactly when the GLK	19	Q I'm sorry. What do you mean by that?	
20	came back or when the trade-in didn't happen. I	20	A I don't know. I don't think my husband	
21	didn't know that the trade-in didn't happen. My	21	works there anymore.	
22	husband is the one that knew that the trade-in	22	Q You think it's out of business, closed up	
	67			69
1	didn't happen. So he brought the GLK came home.	1	shop?	
2	Q All right. And you still have title to	2	A I don't know anything about BW. I don't	
3	the GLK, correct?	3	know if it's in business or if it's not in	
4	A Yes.	4	business.	
5	Q So I'm going to ask you, what happened to	5	Q Okay. Did your husband ever tell you	
6	the \$12,466 that should have been refunded?	6	that he was fired from BW Auto Outlet or that	
7	A I am out that \$12,000.	7	A No, he did not say he was fired from BW	
8	Q And who has that money?	8	Auto Outlet.	
9	A Baltimore Washington.	9	Q Okay. Now, you say you don't know	
1.0				
10	Q BW Auto Outlet, right?	10	anything about his income?	
10	Q BW Auto Outlet, right? A Yes.	10 11	anything about his income? A That's what I said, yes.	
1		l		
11	A Yes.	11	A That's what I said, yes.	
11 12	A Yes.Q And have you requested that they refund	11 12	A That's what I said, yes. Q And so you don't know whether he was ever paid from BW Auto Outlet? A He was paid from BW.	
11 12 13	A Yes. Q And have you requested that they refund you that money?	11 12 13	A That's what I said, yes. Q And so you don't know whether he was ever paid from BW Auto Outlet?	
11 12 13 14	A Yes. Q And have you requested that they refund you that money? A Not yet. I mean, I'm just trying to get	11 12 13 14	A That's what I said, yes. Q And so you don't know whether he was ever paid from BW Auto Outlet? A He was paid from BW.	
11 12 13 14 15	A Yes. Q And have you requested that they refund you that money? A Not yet. I mean, I'm just trying to get my car back is my first step, but, yes, I'm out	11 12 13 14 15	A That's what I said, yes. Q And so you don't know whether he was ever paid from BW Auto Outlet? A He was paid from BW. Q How much?	
11 12 13 14 15 16	A Yes. Q And have you requested that they refund you that money? A Not yet. I mean, I'm just trying to get my car back is my first step, but, yes, I'm out that \$12,000.	11 12 13 14 15 16	A That's what I said, yes. Q And so you don't know whether he was ever paid from BW Auto Outlet? A He was paid from BW. Q How much? A I have no idea. Q How do you know he was paid? A I've seen a W-2.	
11 12 13 14 15 16 17	A Yes. Q And have you requested that they refund you that money? A Not yet. I mean, I'm just trying to get my car back is my first step, but, yes, I'm out that \$12,000. Q And you have not filed any suit to	11 12 13 14 15 16 17	A That's what I said, yes. Q And so you don't know whether he was ever paid from BW Auto Outlet? A He was paid from BW. Q How much? A I have no idea. Q How do you know he was paid?	
11 12 13 14 15 16 17 18	A Yes. Q And have you requested that they refund you that money? A Not yet. I mean, I'm just trying to get my car back is my first step, but, yes, I'm out that \$12,000. Q And you have not filed any suit to recover that \$12,466?	11 12 13 14 15 16 17 18	A That's what I said, yes. Q And so you don't know whether he was ever paid from BW Auto Outlet? A He was paid from BW. Q How much? A I have no idea. Q How do you know he was paid? A I've seen a W-2.	
11 12 13 14 15 16 17 18 19	A Yes. Q And have you requested that they refund you that money? A Not yet. I mean, I'm just trying to get my car back is my first step, but, yes, I'm out that \$12,000. Q And you have not filed any suit to recover that \$12,466? A I just told you, I'm trying to get my car back. Yes, I yes, I would like to get that \$12,000 back, too.	11 12 13 14 15 16 17 18 19	A That's what I said, yes. Q And so you don't know whether he was ever paid from BW Auto Outlet? A He was paid from BW. Q How much? A I have no idea. Q How do you know he was paid? A I've seen a W-2. Q So you've seen paperwork from BW Auto	
11 12 13 14 15 16 17 18 19 20	A Yes. Q And have you requested that they refund you that money? A Not yet. I mean, I'm just trying to get my car back is my first step, but, yes, I'm out that \$12,000. Q And you have not filed any suit to recover that \$12,466? A I just told you, I'm trying to get my car back. Yes, I yes, I would like to get that	11 12 13 14 15 16 17 18 19 20	A That's what I said, yes. Q And so you don't know whether he was ever paid from BW Auto Outlet? A He was paid from BW. Q How much? A I have no idea. Q How do you know he was paid? A I've seen a W-2. Q So you've seen paperwork from BW Auto Outlet indicating that they have paid monies to	

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1	it, but I have no idea, like, how much it was.	1	insured for.	
2	Q Have you ever seen his tax returns?	2	BY MR. MARKELS:	
3	A No, we don't file joint returns.	3	Q And that insurance was for a value,	
4	Q How long have you been filing separately?	4	correct?	
5	A I don't think we've ever filed joint	5	A Yes.	
6	returns.	6	Q And that value was pursuant to the	
7	Q It's also true that the \$12,466 that BW	7	insurance company appraising the approximate value	
8	Auto Outlet has has never been paid to PenFed,	8	of the Cartier watch?	
9	right?	9	A Yes.	
10	MR. LEVINE: Objection, foundation, calls	10	Q Okay. If you have not yet given that	
11	for speculation.	11	document to your counsel, I ask that you do so,	
12	THE WITNESS: To my knowledge, it has not	12	that it be produced in this case.	
13	been paid to PenFed.	13	Now, during the date of the repossession,	
14	BY MR. BRAGDON:	14	do you agree that that occurred in the early	
15	Q You have produced as part of Exhibit	15	morning hours of May 20th of 2014?	
16	Number 3 your statements from PenFed, and if you'd	16	A May 20th, yes.	
		17		
17	like to go through them again, that's fine, but would you agree with me that none of those	1	Q Okay. Around, say, like 1:30 in the morning or something like that?	
18		18		
19	statements reflect any payment of \$12,466 to	19	A Somewhere around in there, yes.	
$\begin{vmatrix} 20 \\ 21 \end{vmatrix}$	PenFed?	20	Q You said that there were two gentlemen	
	A They do not.	21	who showed up?	
22	Q Now, you did say that at one point your	22	A Yes.	
	71			73
1	Cartier watch was appraised for insurance purposes?	1	Q Now, when did it become clear to you that	
2	A Uh-huh, yes.	2	this was a repossession of your car as opposed to	
3	Q And that you do have a copy of something,	3	just some people stealing it?	
4	one of those insurance documents that has that	4	A When they knocked on the door and asked	
5	appraisal value on it?	5	for the keys.	
6	A The insurance value that it's insured	6	Q Okay. Did they have any indicia of who	
7	for.	7	they worked for on them, on their outfits? Did	
8	Q Okay. Have you given that to your	8	they give you a card, any other information?	
9	counsel to be produced in this case as an indicator	9	A No.	
	of the Cartier watch's value?	10	Q All right. Now, did you after they	
110		1 - 0		
10	A Yes	111	left, did you chase them?	
11	A Yes. MR. MARKELS: Has that been produced.	11	left, did you chase them? A I have three kids, small kids inside.	
11 12	MR. MARKELS: Has that been produced,	12	A I have three kids, small kids inside.	
11 12 13	MR. MARKELS: Has that been produced, Counsel?	12 13	A I have three kids, small kids inside. No, I did not chase them.	
11 12 13 14	MR. MARKELS: Has that been produced, Counsel? MR. LEVINE: I don't know. I'd have to	12 13 14	A I have three kids, small kids inside. No, I did not chase them. Q Do you know if your husband ever tried to	
11 12 13 14 15	MR. MARKELS: Has that been produced, Counsel? MR. LEVINE: I don't know. I'd have to look and see what was produced.	12 13 14 15	A I have three kids, small kids inside. No, I did not chase them. Q Do you know if your husband ever tried to pursue them?	
11 12 13 14 15 16	MR. MARKELS: Has that been produced, Counsel? MR. LEVINE: I don't know. I'd have to look and see what was produced. MR. MARKELS: James, do you recall that	12 13 14 15 16	A I have three kids, small kids inside. No, I did not chase them. Q Do you know if your husband ever tried to pursue them? A My husband was not at home. I called him	
11 12 13 14 15 16 17	MR. MARKELS: Has that been produced, Counsel? MR. LEVINE: I don't know. I'd have to look and see what was produced. MR. MARKELS: James, do you recall that being in here?	12 13 14 15 16 17	A I have three kids, small kids inside. No, I did not chase them. Q Do you know if your husband ever tried to pursue them? A My husband was not at home. I called him on the phone. I don't know.	
11 12 13 14 15 16 17 18	MR. MARKELS: Has that been produced, Counsel? MR. LEVINE: I don't know. I'd have to look and see what was produced. MR. MARKELS: James, do you recall that being in here? MR. BRAGDON: We can address it, but I	12 13 14 15 16 17 18	A I have three kids, small kids inside. No, I did not chase them. Q Do you know if your husband ever tried to pursue them? A My husband was not at home. I called him on the phone. I don't know. Q Where was he at the time?	
11 12 13 14 15 16 17 18 19	MR. MARKELS: Has that been produced, Counsel? MR. LEVINE: I don't know. I'd have to look and see what was produced. MR. MARKELS: James, do you recall that being in here? MR. BRAGDON: We can address it, but I haven't seen it.	12 13 14 15 16 17 18 19	A I have three kids, small kids inside. No, I did not chase them. Q Do you know if your husband ever tried to pursue them? A My husband was not at home. I called him on the phone. I don't know. Q Where was he at the time? A I don't know. He wasn't home.	
11 12 13 14 15 16 17 18 19 20	MR. MARKELS: Has that been produced, Counsel? MR. LEVINE: I don't know. I'd have to look and see what was produced. MR. MARKELS: James, do you recall that being in here? MR. BRAGDON: We can address it, but I haven't seen it. MR. MARKELS: Okay.	12 13 14 15 16 17 18 19 20	A I have three kids, small kids inside. No, I did not chase them. Q Do you know if your husband ever tried to pursue them? A My husband was not at home. I called him on the phone. I don't know. Q Where was he at the time? A I don't know. He wasn't home. Q He wasn't at work?	
11 12 13 14 15 16 17 18 19	MR. MARKELS: Has that been produced, Counsel? MR. LEVINE: I don't know. I'd have to look and see what was produced. MR. MARKELS: James, do you recall that being in here? MR. BRAGDON: We can address it, but I haven't seen it.	12 13 14 15 16 17 18 19 20 21	A I have three kids, small kids inside. No, I did not chase them. Q Do you know if your husband ever tried to pursue them? A My husband was not at home. I called him on the phone. I don't know. Q Where was he at the time? A I don't know. He wasn't home.	

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1	Q Okay. He hadn't told you where he was?	1	MR. BRAGDON: The P.A.R. one.	
2	MR. LEVINE: Objection, asked and	2	THE WITNESS: It's this one.	
3	answered.	3	MR. LEVINE: Exhibit 2 is how we have it.	
4	THE WITNESS: No.	4	MR. MARKELS: Oh, you're on another	
5	BY MR. MARKELS:	5	exhibit. I thought it was switched around. That's	
6	Q All right. Now, to your knowledge,	6	fine.	
7	nobody in any vehicle or on foot pursued the men	7	THE WITNESS: Which page are we on?	
8	who repoed your car?	8	MR. LEVINE: Page 5.	
9	A No, my husband met up with the police and	9	BY MR. MARKELS:	
10	the men, the people who had the car.	10	Q Page 5. Page 5 of Exhibit 2. Now,	
11	Q Now, you said as this was going on you	11	although the copies that we have before us are not	
12	called the police, correct?	12	signed by you, you agree that you did sign these	
13	A No, I told the men standing there to	13	particular answers to these supplemental	
14	leave, that I was going to call the police, and	14	interrogatory answers, right?	
15	that's when they left.	15	A Yes.	
16	Q Did you ever did you call the police	16	Q Now, in your supplemental answer you	
17	at that time?	17	state that you received title for the BMW. Do you	
18	A No, I hung up the phone. They left	18	see that?	
19	they were leaving. I called my husband and said	19	A Yes.	
20	that they left. That's when he got on the phone	20	Q Now, when you say you received title for	
21	with the police and they tracked them down.	21	the BMW, you mean that what was in Exhibit 3 as	
22	Q To your knowledge, have the police taken	22	Mahdavi 1 was received to you in the mail, correct?	
	75			77
1	any action against P.A.R. Services or NextGear or	1	A Yes.	
2	anybody else with regard to that car?	2	Q And we already talked about you did not	
3	A Not to my knowledge.	3	file any application or receive prior title to the	
4	Q Do you know whether your husband was a			
5		4	BMW at any time, correct?	
	salaried employee of BW Outlet or was on	5		
6	salaried employee of BW Outlet or was on commission? Do you have any idea?	4 5 6	BMW at any time, correct?	
6 7		Ι.	BMW at any time, correct? A Yes.	
	commission? Do you have any idea?	6	BMW at any time, correct? A Yes. Q All right. If you would turn to Page 6	
	commission? Do you have any idea? A I don't know.	6	BMW at any time, correct? A Yes. Q All right. If you would turn to Page 6 of that same of Exhibit 2, you see where under	
7 8	commission? Do you have any idea? A I don't know. Q Was he responsible for paying any of the	6 7 8	BMW at any time, correct? A Yes. Q All right. If you would turn to Page 6 of that same of Exhibit 2, you see where under the supplemental answer it says, "Subject to and	
7 8 9	commission? Do you have any idea? A I don't know. Q Was he responsible for paying any of the household obligations?	6 7 8 9	BMW at any time, correct? A Yes. Q All right. If you would turn to Page 6 of that same of Exhibit 2, you see where under the supplemental answer it says, "Subject to and without waiving the prior objections, on or about	
7 8 9 10	commission? Do you have any idea? A I don't know. Q Was he responsible for paying any of the household obligations? A He pays the mortgage.	6 7 8 9 10	BMW at any time, correct? A Yes. Q All right. If you would turn to Page 6 of that same of Exhibit 2, you see where under the supplemental answer it says, "Subject to and without waiving the prior objections, on or about May 21, 2014, I spoke to Deb McCloud on the	
7 8 9 10 11	commission? Do you have any idea? A I don't know. Q Was he responsible for paying any of the household obligations? A He pays the mortgage. Q That's the only thing he's in charge of?	6 7 8 9 10 11	BMW at any time, correct? A Yes. Q All right. If you would turn to Page 6 of that same of Exhibit 2, you see where under the supplemental answer it says, "Subject to and without waiving the prior objections, on or about May 21, 2014, I spoke to Deb McCloud on the telephone about the BMW being repossessed and she	
7 8 9 10 11 12	commission? Do you have any idea? A I don't know. Q Was he responsible for paying any of the household obligations? A He pays the mortgage. Q That's the only thing he's in charge of? A Yes.	6 7 8 9 10 11 12	BMW at any time, correct? A Yes. Q All right. If you would turn to Page 6 of that same of Exhibit 2, you see where under the supplemental answer it says, "Subject to and without waiving the prior objections, on or about May 21, 2014, I spoke to Deb McCloud on the telephone about the BMW being repossessed and she transferred my call to Kerry Howard." Do you see	
7 8 9 10 11 12 13	commission? Do you have any idea? A I don't know. Q Was he responsible for paying any of the household obligations? A He pays the mortgage. Q That's the only thing he's in charge of? A Yes. Q Now, let's look at Exhibit Number 1, your	6 7 8 9 10 11 12 13	BMW at any time, correct? A Yes. Q All right. If you would turn to Page 6 of that same of Exhibit 2, you see where under the supplemental answer it says, "Subject to and without waiving the prior objections, on or about May 21, 2014, I spoke to Deb McCloud on the telephone about the BMW being repossessed and she transferred my call to Kerry Howard." Do you see that?	
7 8 9 10 11 12 13 14	commission? Do you have any idea? A I don't know. Q Was he responsible for paying any of the household obligations? A He pays the mortgage. Q That's the only thing he's in charge of? A Yes. Q Now, let's look at Exhibit Number 1, your answer to Interrogatory No. 7, which is on Page 5.	6 7 8 9 10 11 12 13 14	BMW at any time, correct? A Yes. Q All right. If you would turn to Page 6 of that same of Exhibit 2, you see where under the supplemental answer it says, "Subject to and without waiving the prior objections, on or about May 21, 2014, I spoke to Deb McCloud on the telephone about the BMW being repossessed and she transferred my call to Kerry Howard." Do you see that? A Yes.	
7 8 9 10 11 12 13 14 15	commission? Do you have any idea? A I don't know. Q Was he responsible for paying any of the household obligations? A He pays the mortgage. Q That's the only thing he's in charge of? A Yes. Q Now, let's look at Exhibit Number 1, your answer to Interrogatory No. 7, which is on Page 5. Do you see that this is Interrogatory No. 7 about,	6 7 8 9 10 11 12 13 14 15	BMW at any time, correct? A Yes. Q All right. If you would turn to Page 6 of that same of Exhibit 2, you see where under the supplemental answer it says, "Subject to and without waiving the prior objections, on or about May 21, 2014, I spoke to Deb McCloud on the telephone about the BMW being repossessed and she transferred my call to Kerry Howard." Do you see that? A Yes. Q Are you sure that was on the 21st and not	
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1	day of the 20th and you waited until the 21st?	1	A I don't in the other case? I don't	
2	A No, because I was waiting for my husband	2	know.	
3	to figure out what was going on.	3	Q At any time.	
4	Q Okay. So you did not alert PenFed in any	4	A I don't know.	
5	way about the repossession until the 21st? That's	5	Q Are you aware that your husband has been	
6	your position?	6	asked questions about BW Auto Outlet's practices in	
7	A Yes.	7	selling cars?	
8	Q So if PenFed had, in fact, contacted	8	A I don't I don't know.	
9	P.A.R. Services about the BMW on the 20th, it was	9	MR. LEVINE: I'm going to object to the	
10	not due to any communication by you or your	10	extent that any conversations that I may have had	
11	husband?	11	with my client about what's going on with that	
12	A It wasn't from me.	12	matter.	
13	Q Do you know if your husband contacted	13	BY MR. MARKELS:	
14	PenFed?	14	Q Of course. You're aware that there is	
15	A I don't know.	15	litigation pending in Maryland between NextGear and	
16	Q Did he tell you that he ever contacted	16	BW Auto Outlet, correct?	
17	PenFed on the 20th?	17	A Just what I've seen here, yes.	
18	A He didn't tell me.	18	Q Okay. Are you aware that your husband's	
19	Q All right.	19	deposition has been taken in that case?	
20	A But I know on the next day he was trying	20	A I don't know. I don't I don't know if	
21	to figure out what happened and how to get the car	21	his deposition has been taken.	
22	back.	22	Q Okay. He's never indicated to you that	
	70			
	79			81
1		1	he was having his deposition taken or that a	81
1 2	Q Did he ever explain to you anything about	1 2	he was having his deposition taken or that a	81
2	Q Did he ever explain to you anything about a loan with NextGear that BW Auto had?	1 2 3	deposition has happened?	81
2 3	Q Did he ever explain to you anything about a loan with NextGear that BW Auto had? MR. LEVINE: Objection, asked and	3	deposition has happened? A No.	81
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	20		20	A Yes, since the car was taken on the 20th;	
22 Q Did he ever describe to you strike 22 to get the car back. You know, she was trying	21		21		

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	86			88
1	to you know, Kerry Howard was trying to get the	1	Q Did she ever send you any documentation	
2	car back for me.	2	from MVA regarding the BMW?	
3	Q Who?	3	A No.	
4	A Kerry Howard at Pentagon Federal was	4	Q Did you ever have any phone conversation	
5	trying to get the car back.	5	with Kerry Howard or anyone else over at PenFed	
6	Q What did she tell you about those	6	about tracking down prior owners who the prior	
7	efforts?	7	owners were for the BMW, either through the MVA or	
8	A She said that she couldn't get NextGear	8	other means?	
9	to respond to her, and then, you know, when she did	9	A No.	
10	get NextGear to respond, they said that they	10	Q To date, has PenFed ever indicated to you	
11	couldn't speak to her because, you know, of the	11	that BW Auto Outlet ever had good title to the BMW?	
12	case. So it just kind of spiraled to where we are	12	MR. LEVINE: Objection, foundation.	
13	now. I bought a car; I haven't seen my car in six	13	BY MR. MARKELS:	
14	months; I want my car back.	14	Q Has PenFed ever told you that?	
15	Q Did Pentagon Federal ever tell you that	15	A I haven't asked.	
16	NextGear did not have title to the car?	16	Q Okay. Are you aware that Mr. Molavi, the	
17	A No.	17	owner of BW Auto Outlet, has also pled the Fifth	
18	Q Did NextGear ever I mean, did Pentagon	18	with regard to sales of vehicles by BW Auto Outlet?	
19	Federal ever tell you that you were sold good title	19	MR. LEVINE: Objection, foundation,	
20	to the car?	20	hearsay.	
21	A She never said that.	21	BY MR. MARKELS:	
22	Q All right. Did you ever undertake to	22	Q Are you aware?	
		┢		
	87			89
1		1	A No	89
1 2	investigate where your title was derived from, who	1 2	A No. MR MARKELS: I think that's all I have	89
2	investigate where your title was derived from, who the prior owner of the BMW was before you owned it?	2	MR. MARKELS: I think that's all I have	89
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	9	0		92
1	A April.		(Signature not waived.)	
2	Q In 2014?	2	(Whereupon, at 11:56 a.m., the deposition	
3	A Yes.	3	of JODI C. MAHDAVI was concluded.)	
4	Q Okay. And are you including that in your	4	of Jobi C. White Tive was concluded.)	
5	damages?	5	* * * *	
6	A Yes.	6		
7	MR. LEVINE: That's the only question	7		
8	I've got.	8		
9	EXAMINATION BY COUNSEL FOR DEFENDANT,			
	P.A.R.	10		
10	BY MR. MARKELS:	11		
11	Q Just one more thing. I'm sorry, but just	12		
12	one more. Approximately how much you've made a	13		
13	request for attorney's fees in this case. Can you	14		
14	tell me approximately how much you've paid so far	15		
15	in attorney's fees on this case?	16		
16	MR. LEVINE: Well, I'll object to the	17		
17	extent that	18		
18	BY MR. MARKELS:	19		
19	Q I'm not asking for any specifics about	20		
20	what was done or anything like that. I'm just	21		
21	trying to get the number, a ballpark.	22		
22	A I have paid I haven't paid all of my	122		
	9	1		93
	9	1		93
1	bills.	1	CERTIFICATE OF NOTARY PUBLIC	
2	Q But how much have you incurred to date?	2	I, CHRISTY MCGEE, the officer before whom	
		4	i, critical i interesse, une critical actions which	
3	A Incurred to date or how much I've paid to	3	the foregoing statement was taken, do hereby	
3 4	A Incurred to date or how much I've paid to date?		the foregoing statement was taken, do hereby certify that the statement was taken by me in	
		3	the foregoing statement was taken, do hereby certify that the statement was taken by me in stenotype and thereafter reduced to typewriting	
4	date?	3 4	the foregoing statement was taken, do hereby certify that the statement was taken by me in stenotype and thereafter reduced to typewriting under my direction; that the said statement is a	
5	date? Q Let's start with just incurred.	3 4 5	the foregoing statement was taken, do hereby certify that the statement was taken by me in stenotype and thereafter reduced to typewriting under my direction; that the said statement is a true record of the proceedings; that I am neither	
4 5 6	date? Q Let's start with just incurred. A Incurred? I don't want to guess because	3 4 5 6 7 8	the foregoing statement was taken, do hereby certify that the statement was taken by me in stenotype and thereafter reduced to typewriting under my direction; that the said statement is a true record of the proceedings; that I am neither counsel for, related to, nor employed by any of the	
4 5 6 7	date? Q Let's start with just incurred. A Incurred? I don't want to guess because I I don't know the exact number.	3 4 5 6 7 8 9	the foregoing statement was taken, do hereby certify that the statement was taken by me in stenotype and thereafter reduced to typewriting under my direction; that the said statement is a true record of the proceedings; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this statement was	
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4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	date? Q Let's start with just incurred. A Incurred? I don't want to guess because I I don't know the exact number. Q More than \$20,000? A Yes. Q More than \$30,000? A Yes. Q More than \$40,000? A I believe so. Q So not \$50,000 less than \$50,000? A I'd say close. Q So \$40,000 to \$60,000? A Yes. Q A fair ballpark. And then how much have you actually paid? A Ten.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	the foregoing statement was taken, do hereby certify that the statement was taken by me in stenotype and thereafter reduced to typewriting under my direction; that the said statement is a true record of the proceedings; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this statement was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action. CHRISTY MCGEE Notary Public in and for the Commonwealth of Virginia My commission expires:	

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1 2 3 4 5 6 7 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A C K N O W L E D G E M E N T O F D E P O N E N T I, JODI C. MAHDAVI, do hereby acknowledge I have read and examined the foregoing pages of testimony, and the same is a true, correct and complete transcription of the testimony given by me, and any changes or corrections, if any, appear in the attached errata sheet signed by me. Date JODI C. MAHDAVI	1821 Jeffer 3rd Floor Washington (202) 857-3 E I Case Name Witness Na	porting Company son Place, Northwest n, D.C. 20006 3376 RRATA SHEET :: JODI C. MAHDAVI vs. NEXTGEAR & P.A.R. ume: JODI C. MAHDAVI Date: WEDNESDAY, NOVEMBER 12, 2014 Line No. Change/Reason for Change
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Jonathan E. Levine, Esquire Levine, Daniels & Allnutt, PLLC Heritage Square, 5311 Lee Highway Arlington, Virginia 22207 IN RE: Jodi C. Mahdavi vs. NextGear Capital & PAR Dear Mr. Levine:		